

III. REMARKS/ARGUMENTS

A. Status of the Claims

Claims 1-6, 8-17 and 19-37 are pending. Claims 8, 19, 25, 26, 29 and 30 have been amended. No new matter is introduced by these amendments, and these amendments are fully supported by the specification. Applicants respectfully request reconsideration of the rejections of these claims for at least the following reasons.

B. Examiner Interview

Applicants would like to thank Examiner Weatherby for the courtesy extended to Applicants' representative during the telephonic interview conducted on March 7, 2008. During that telephonic interview, Applicants' representative submitted that U.S. Patent Application Pub. No. US 2002/0099571 A1 to Waku et al. does not disclose the step of "querying a database with the at least one criterion" because Waku only filters data, but does not specifically request that the responsive data be retrieved. The Examiner maintained these rejections, but suggested that claim 19 be amended to distinguish "querying" from "filtering."

Applicants' representative also submitted that the proposed combination of U.S. Patent No. 5,623,927 to Damadian et al. and U.S. Patent No. 5,525,905 to Mohapatra et al. does not disclose the elements of claim 1 because it does not disclose "completing a first data entry step including entering scan configuration data related to a first scan into a scan processing unit" and "during the data acquisition step for the first scan, completing a second data entry step relating to a second scan, the second data entry step including entering scan configuration data related to the second scan into the scan processing unit" because Damadian

discloses the use of multiple scan processing units.¹ Further, the cited portion of Mohapatra discloses entering patient identification data or imaging data into an object handling computer that is located in an ambulance. When the patient arrives at the imaging device, then the data from the ambulance's object handling computer is transferred to the imaging computer at the imaging equipment. Thus, Mohapatra does not disclose the missing elements of independent claims 1 or 8.

In a second telephone conversation on March 19, 2008, Examiner Weatherby stated that the arguments made in the previous response overcame the prior art references and that the next office action, if necessary, would not be a final office action. Applicants thank Examiner Weatherby for reconsidering the previous arguments.

C. Claim Rejections Under 35 U.S.C. § 102(e)

Claims 19, 23-24, 30-31 and 35 stand rejected under 35 U.S.C. § 102(e) as allegedly anticipated by U.S. Patent Application Pub. No. US 2002/0099571 A1 to Waku et al. ("Waku").

In order for a claim to be anticipated by a reference, that reference must disclose each and every element of the claimed invention. See Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631 (Fed. Cir. 1987) ("A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.")(emphasis added); see also Richardson v. Suzuki Motor Co., 868 F.2d 1226, 1236 (Fed. Cir. 1989) ("The identical invention must be shown in as complete detail as is contained in the ... claim.").

Applicants have previously argued that Waku does not anticipate independent claims 19 and 30 because it only discloses a display of a list of

¹ Independent claim 8, as amended, recites similar limitations and is allowable for at least the same reasons.

patients, and a way to filter the display of patients. See Response Under 37 C.F.R. § 1.111, filed October 11, 2006 at 11-14; Response Under 37 C.F.R. § 1.113, filed October 31, 2007 at 7-9. During the telephone conference of March 7, 2008, Examiner Weatherby suggested that the claims be amended to distinguish the claimed “querying” from the prior art “filtering.” Accordingly, Applicants have amended claim 19 to recite:

19. A method for configuring an imaging device comprising the steps of:
 - specifying at least one criterion for determining a next patient to be scanned;
 - storing the at least one criterion in a preferences database;
 - applying the at least one criterion to a plurality of scheduled patients;
 - receiving an identification of the next patient to be scanned based on the at least one criterion;
 - retrieving scan-specific and patient-specific information for the next patient to be scanned; and
 - configuring the scanner for the next patient to be scanned.

Appl’n, claim 19 (as amended). Applicants submit that the active steps of “applying the at least one criterion to a plurality of scheduled patients;” “receiving an identification of the next patient to be scanned based on the at least one criterion;” and “retrieving scan-specific and patient-specific information for the next patient to be scanned” distinguish the claim from the filtering of Waku. In addition, Applicants have amended claim 19 to specify that the scanner is configured for the next patient to be scanned. In view of these amendments, Applicants respectfully request that the rejection of independent claims 19 and 30, as well as all claims dependent thereon, be withdrawn.

D. Claim Rejections under 35 U.S.C. § 103(a)

1. Claims 1-3, 8-14, and 36-37

Claims 1-3, 8-14, and 36-37 stand rejected as allegedly rendered obvious by U.S. Patent No. 5,623,927 to Damadian et al. (“Damadian”) in view of U.S. Patent No. 5,525,905 to Mohapatra et al. (“Mohapatra”). As noted above, the combination of Damadian and Mohapatra does not disclose “completing a first data entry step including entering scan configuration data related to a first scan into a scan processing unit” and “during the data acquisition step for the first scan, completing a second data entry step relating to a second scan, the second data entry step including entering scan configuration data related to the second scan into the scan processing unit.” Instead, Damadian discloses the use of multiple scan processing units.

Similarly, with regard to amended claim 8, Damadian does not disclose “a processor which controls configuration and execution of the scan” and that “the processor is programmed to conduct a first data entry step including entering scan configuration data related to a first scan, conduct the data acquisition step for the first scan, and during the data acquisition step for the first scan, conduct a data entry step for a second scan, the data entry step including entering scan configuration data related to the second scan.” Thus, Mohapatra does not disclose the missing elements of independent claims 1 or 8.

As noted above, during the telephone conference on March 19, 2008, Examiner Weatherby stated that the arguments made in the response dated October 31, 2007 overcame this rejection. Therefore, Applicants submit that independent claims 1 and 8, as well as all claims dependent thereon, are allowable.

2. Claims 4-6 and 15-17

Claims 4-6 and 15-17 stand rejected as allegedly rendered obvious by Damadian in view of Mohapatra as applied to claims 1, 3, and 8, and further in view of Waku. As noted above, independent claim 1 and 8 are allowable and not

obvious; therefore, all claims dependent thereon, are also allowable and non-obvious. Therefore, Applicants respectfully request that the outstanding rejection be withdrawn.

3. Claims 20 and 32

Claims 20 and 32 stand rejected as allegedly rendered obvious by Waku in view of U.S. Patent No. 6,505,064 to Liu et al. (“Liu”). Because these claims are dependent on independent claims 19 and 30, respectively, they are allowable for at least the same reasons set forth above with respect to those claims. Therefore, Applicants respectfully request that this rejection be withdrawn.

4. Claims 21 and 33

Claims 21 and 33 stand rejected as allegedly rendered obvious by Waku in view of U.S. Patent Application Pub. No. US 2004/0073453 A1 to Navov et al. (“Nenov”). Because these claims are dependent on independent claims 19 and 30, respectively, they are allowable for at least the same reasons set forth above with respect to those claims. Therefore, Applicants respectfully request that this rejection be withdrawn.

5. Claims 22 and 34

Claims 22 and 34 stand rejected as allegedly rendered obvious by Waku in view of U.S. Patent Application Pub. No. US 2003/0093296 A1 to Lee et al. (“Lee”). Because these claims are dependent on independent claims 19 and 30, respectively, they are allowable for at least the same reasons set forth above with respect to those claims. Therefore, Applicants respectfully request that this rejection be withdrawn.

6. Claims 25-29

Claims 25-29 stand rejected as allegedly rendered obvious by Waku in view of Damadian and Mohapatra. Because these claims are dependent on independent

claim 19, they are allowable for at least the same reasons set forth above with respect to those claims.

In addition, like independent claims 1 and 8, claim 25 has been amended to specify that the “step of configuring the scanner for the next patient to be scanned comprises completing a first data entry step including entering scan configuration data related to a first scan into a scan processing unit.” Therefore, these claims are allowable for these reasons as well.

IV. CONCLUSION

Applicants respectfully submit that the application is in condition for allowance. Applicants believe that no fees are necessary in connection with the filing of this document. In the event any fees are necessary, please charge such fees, including fees for any extensions of time, to the undersigned's Deposit Account No. 50-0206. Should any outstanding issues remain, the Examiner is invited to telephone the undersigned at the number listed below.

Respectfully submitted,
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Dated: April 16, 2008

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